

REMARKS

Claims 1-18 are pending in the present application. Claims 1, 2, 4, 5, 7, and 10 have been amended to correct informalities and claims 11-18 have been added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Examiner is thanked for the indication that independent claim 2 is allowed and that dependent claim 4 would be allowable if rewritten in independent form. Claims 11-18 have been added and depend from independent claim 2, and thus should also be in condition for allowance. Dependent claim 4 has not been rewritten in independent form at this time for the reasons set forth below.

The Office Action rejected claims 1, 3, and 5-10 under 35 U.S.C. § 102(b) over U.S. Patent No. 5,296,945 to Nishikawa et al. (hereinafter "Nishikawa"). The rejection is respectfully traversed.

Nishikawa discloses a video ID photo printing apparatus and complexion converting apparatus. Referring to Fig. 2, an image of a person 22 illuminated by a light source 24 is captured by a color TV camera 26. A detection point setting unit 52 designates a skin portion in the image to extract complexion data, which is stored in a detected complexion memory 54. A comparator 58 then compares differences of values of color data stored in the detected complexion memory 54 with a plurality of preformed desired standard skin color data stored in a

Reply to Office Action of July 1, 2005

standard color memory 56. The skin color of the captured image is then converted to a desired skin color using a look-up table 60 using the data values obtained by the comparator 58. See, for example, col. 3, line 32 through col. 4, line 13 of Nishikawa.

However, Nishikawa does not disclose or suggest all of the features of independent claim 1, or the claimed combination of independent claim 1. That is, independent claim 1 recites a method for extracting a face from a still image or moving image using color distortion information. The method includes extracting color distortion information from a given image, determining a skin color range in a color space using the extracted color distortion information, and extracting a face by extracting a skin color region using the determined skin color range. Nishikawa does not address color distortion information, or disclose or suggest extracting the same from an image. Further, Nishikawa does not disclose or suggest determining a skin color range in a color space using the extracted color distortion information. The present application defines color distortion as being caused, for example, by one or more of illumination, image retrieval device characteristics, encoder characteristics, or a color filter.

Accordingly, the rejection of independent claim 1 over Nishikawa should be withdrawn. Dependent claims 3 and 5-10, along with objected to claim 4, are allowable over Nishikawa at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

Serial No. 09/982,258
Reply to Office Action of July 1, 2005

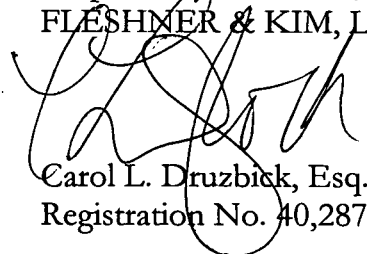
Docket No. LGE-0016

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



Carol L. Druzbiek, Esq.
Registration No. 40,287

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3701 DYK:CLD/knv

Date: November 1, 2005

Please direct all correspondence to Customer Number 34610